

FORM PTO-1083  
MAIL STOP: AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
Alexandria, VA 22313-1450



Docket No.: 222.94213CON2  
Date: October 27, 2005

Handwritten: 621

Examiner: S. Barts  
Re: Application of:  
Serial No.:  
Filed:  
Art Unit: 1621  
Ronald B. MILLER, et al.  
09/800,204  
March 6, 2001

For: **CONTROLLED RELEASE TRAMADOL FORMULATION**

Sir:

Transmitted herewith is a **Response to the Office Action** in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY			OR	LARGE ENTITY		
FOR:	REMAINING	HIGHEST		RATE	FEE			RATE	FEE	
	AFTER	PREVIOUSLY	PRESENT							
	AMENDMENT	PAID FOR	EXTRA							
TOTAL CLAIMS	*	Minus 24**	=	x \$ 25	\$			x \$ 50	\$	
INDEP. CLAIMS	*	Minus 3***	=	x \$ 100	\$			x \$ 200	\$	
[ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 180	\$			+ \$ 360	\$	
				TOTAL: \$			OR	TOTAL: \$		

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:
- ☒ Petition for extension under 37 C.F.R. 1.136 (1 page)
- ☒ Other: Terminal Disclaimer (1 page); and
- ☒ Statement under 37CFR 3.73(b) (1page)
- ☒ Check(s) in the amount of **\$580.00** is/are attached to cover:
- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
- ☒ Petition fee for extension under 37 C.F.R. 1.136 (\$450.00)
- ☒ Other: terminal disclaimer fee(\$130.00)
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Robert J. Paradiso, Reg. No. 41,240  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to Mail Stop: Amendment; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2005.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Marina Knoutchkova